



MEETING ANNOUNCEMENT

DATE: APRIL 20, 2006
TIME: 8:00 AM – EXECUTIVE SESSION
9:30 AM – OPEN SESSION
LOCATION: SALON B/C
HARRAH'S CASINO
1 HARRAH'S BOULEVARD
COUNCIL BLUFFS, IA 51501
PHONE: 712/329-6000

PROPOSED AGENDA

- 1. APPROVE AGENDA**
- 2. EXECUTIVE SESSION** - For the purpose of receiving DCI background investigation reports pursuant to Iowa Code Section 21.5(1)g
- 3. WELCOME** – Mayor Tom Hanafan
- 4. APPROVE MINUTES** – From March 2, 2006 Commission Meeting
- 5. ANNOUNCEMENTS**
 - A. May – No Commission Meeting
 - B. June Commission Meeting – June 8, 2006 – Stoney Creek Inn, Johnston, Iowa (Submissions due by May 24, 2006)
 - C. Fiscal Year 2007 Commission Meeting Dates
 - D. Openings – Horseshoe Casino in Council Bluffs and Diamond Jo Worth Casino in Worth County
- 6. RULES** – Final Adoption – Attached
- 7. APPROVAL OF DISTRIBUTION OF HORSE RACING PROMOTION FUND**

- 8. IOWA WEST RACING ASSOCIATION/IOWA GREYHOUND ASSOCIATION** – Review of Financial Audit of the Escrow Account for the Year Ending Dec. 31, 2005
- 9. IOWA GREYHOUND ASSOCIATION** – Request for Authorization to Withdraw Funds from the Iowa West Racing Association/Iowa Greyhound Association Escrow Account
- 10. REVIEW OF LICENSEES' FINANCIAL AUDITS**
- A. Ameristar Casino Council Bluffs
 - B. Argosy Casino Sioux City
 - C. Catfish Bend Casinos, L.C.
 - D. Harveys Iowa Management Company, Inc.
 - E. HGI-Lakeside d/b/a Lakeside Casino Resort
 - F. Mississippi Belle II Employees Ownership Company
 - G. Bluffs Run Casino (A Facility Under License to Iowa West Racing Association)
 - H. Iowa West Racing Association
 - I. Dubuque Racing Association
 - J. Prairie Meadows Racetrack & Casino, Inc.
- 11. LICENSEE UPDATES ON CONSTRUCTION/OPENINGS**
- A. Wild Rose Emmetsburg
 - B. Riverside Casino & Golf Resort
 - C. IOC Black Hawk County
- 12. ISLE OF CAPRI CASINOS, INC.** - Approval of Second Amendment to the Third Amended and Restated Credit Agreement to facilitate the sale of Isle of Capri's Vicksburg, Mississippi and Bossier City, Louisiana properties
- 13. CONTRACT APPROVALS** **(RP = RELATED PARTY)**
- A. Washington County Riverboat Foundation, Inc. – Request for Approval of First Amended By-Laws
 - B. Catfish Bend Casinos – Aristocrat Technologies, Inc. – Lease of 6 Participation Games
 - C. IOC Marquette – Trinity Work Fitness – Services Agreement for IOC Marquette Employee Health Center
 - D. Argosy Casino – Sioux City
 - 1. Penn National Gaming, Inc. - Inter-company Charges
 - 2. United Healthcare –Group Health Care Fees
 - 3. Delta Dental – Dental Insurance, including Fees and Claims

- E. Ameristar Casino – Gaming Partners International – Gaming Chips for Table Tracking System
- F. Wild Rose Emmetsburg – Reliable Technology, Inc. – Computer Hardware/Software
- G. Riverside Casino & Golf Resort, LLC
 - 1. Rheinschmidt Tile & Marble – Hotel Floor Coverings
 - 2. Knutson Construction – Spa Foundation
 - 3. Five Seasons Drywall – Casino Studs & Drywall
 - 4. Brintons US Axminster – Construction – Floor Coverings
 - 5. Control Installations of Iowa – Security/Surveillance Bid Package
 - 6. Brockway Mechanical – Wall Panels & Seam Metal Roofing
 - 7. MEPCO, Inc. –
 - 8. Robert Dodd Drywall & Plastering – Hotel Structural Concrete
 - 9. Terry & Sons Painting – Hotel Painting/Drywall
 - 10. Innovative Openings, Inc. – Hotel Window Treatments
 - 11. Robert Dodd Drywall & Plastering – Casino Studs & Drywall
 - 12. Woodcraft Architectural Millwork, LLC – Casino Theming
 - 13. WMS Gaming – 162 Slot Machines
 - 14. Konami – 24 Slot Machines
 - 15. IGT – 769 Slot Machines
 - 16. Data Business Equipment – Ticket Exchange Kiosks
 - 17. The Boelter Companies, Inc. – Kitchen Equipment
 - 18. Impex Development – Bathroom & Closet Systems
 - 19. The Minnesota Chemical Co. – Iron/Folder
 - 20. DeVries Electric, Inc. – Installation TV Cable
 - 21. DeVries Electric, Inc. – Cable Tray – Premise Wiring
 - 22. Century Laundry Distributing – Washer & Dryer
 - 23. Century Laundry Distributing – Coat Check Room Conveyor
 - 24. Iowa Telecom – Telecommunications Service
 - 25. Slechta Communications – Advertising in Local Paper
- H. Harrah's – Game Plan Direct LLC – Additional Vendor for Direct Mail Items
- I. Horseshoe Casino
 - 1. Glazer's Distributors of IA – Vendor for Wine/Spirits
 - 2. Johnson Bros./IA Wine & Beverage – Wine/Beverage Vendor
 - 3. MFT Construction – Storm Sewer Repairs/Maintenance for Renovated Building
- J. Dubuque Greyhound Park & Casino
 - 1. American Trust & Savings Bank – Banking Agreement (RP)
 - 2. Cintas – Employee Uniforms
 - 3. Tricor Insurance – Property and Casualty Insurance
 - 4. AC Coin & Slot Service Co. – 10 Slotto Lease Games

5. AC Coin & Slot Service Co. – 4 Slotto-Popcorn Lease Games
6. IGT – Machine Purchase & Parts (Revised)

K. Prairie Meadows Racetrack & Casino

1. All Makes Office Interiors – Purchase Office Equipment & Supplies (Increase)
2. Aristocrat Technologies, Inc. – Purchase of 32 Premium MAV 500 MK VI Slot Games & Accessories
3. Automated Technologies & Integration (ATI) – Surveillance Equipment, Parts, Supplies & Service
4. AVI Systems Inc. (Audio-Visual Inc.) – Audio-visual Equipment, Parts & Services (Increase)
5. Bally Gaming Inc. – Purchase of 22 Game Cabinets, 12 M 9000, 8 S 9000, 2 CineVision
6. Becker Equipment (Hockenberg's) – Food Service Equipment, Parts & Service (Increase)
7. Bolton and Hay – Food Service Equipment, Parts, Supplies and Service (Increase)
8. Business Furniture & Design – Furniture & Accessories
9. Control Installations of Iowa (C13) – Surveillance Equipment, Parts, Supplies & Service (Increase)
10. Corporate Express – Furniture & Accessories
11. Global Spectrum, LP (Wells Fargo Arena) – Contract for the Lease of a Skybox in the Wells Fargo Arena
12. Hawkeye Foodservice Distribution – Purchase of Food & Supplies
13. IGT – Purchase of 20 AVP Trimline Video Slot Games
14. Iowa Des Moines Supply – Equipment, Paper Goods, Maintenance and Misc. Supplies
15. Maroevich O'Shea and Coghlan – 2006 Jockey's Accident Insurance
16. Microsoft Corporation – Microsoft Software Enterprise Agreement
17. Monroe Manufacturing, LLC – Furniture and Accessories
18. Pratt Audiovisual & Video Corporation - Audio-visual Equipment, Parts & Service
19. Shattuck/Johnson Partnership – Office Building Lease (Increase)
20. Spielo Manufacturing Incorporated – Purchase 10 Video Slot Games
21. Storey-Kenworthy – Furniture, Office Supplies & Accessories
22. Taylor Industries Inc. – Misc. Equipment Purchases & Maintenance
23. Triad AV Services – Audio-visual Equipment, Parts & Service
24. Waldinger Corporation – Contractor for Various Construction Projects
25. WMS Gaming Inc. – Purchase of 35 Bluebird Slot Games (27 Video; 8 Reel)

14. ADMINISTRATIVE BUSINESS

15. PUBLIC COMMENT

16. ADJOURN

MEETING ANNOUNCEMENT

The Iowa Racing and Gaming Commission and staff will be touring the Horseshoe Casino at 5:00 PM on Wednesday, April 19, 2006 prior to meeting for dinner at 6:30 PM at “360” located at Harrah’s Casino Hotel, Council Bluffs, Iowa. Racing and gaming matters may be discussed, but no official action will be taken.

PUBLIC PARTICIPATION

1. Persons wishing to make a statement at a commission meeting may sign a sheet at the entrance to the meeting room and will appear during the final agenda item titled “Public Comment”. This segment is intended for an individual to make a brief statement to the Commissioners supported by fact, on current issues, which are within the jurisdiction of the Iowa Racing & Gaming Commission. It is not intended to be a debatable item, which is addressed below in Number 2.

In the past, some people have used the Commission meetings as a forum for making unsupported claims and maligning individuals. The Commission will no longer permit this use of the “Public Comment” portion of the agenda. Therefore, all statements and submissions of materials, whether under No. 1 or No. 2, should be factually supported and free of rancor.

2. Anyone who wishes to appear during a specific agenda item and/or distribute material should submit a written request to the Commission office not later than ten business days before the scheduled meeting in accordance with rule 491-1.2(3). Information or material submitted must be in completed form or it will be considered non-responsive. This policy is intended to provide the Commissioners and staff adequate time to study the submitted material and appropriately prepare for presentations.

Item 1: Amend rule **491-4.4(99D,99F)** by adding the following new subrule:
4.4(8) A gaming representative may summarily suspend an occupational licensee in accordance with rule 491-4.47(17A).

Item 2: Amend subrule **9.2(10)**, paragraph “e,” subparagraph (2), as follows:
(2) All rails must be constructed of materials designed to withstand the impact of a horse ~~running at a gallop~~.

Item 3. Amend subrule **9.4(5)**, paragraph “c,” as follows:

c. Posting of entries. Upon the completion of the draw each day, the racing secretary shall post a list of entries in a conspicuous location in the racing office and make the list available to the ~~media~~ public.

Item 4. Rescind and reserve subrule **9.4(8)**, paragraph “b.”

Item 5. Amend subrule **9.5(1)**, paragraph “a,” subparagraph (11), as follows:

(11) Ensuring that, at the time of arrival at the facility, each horse in the trainer’s care is accompanied by a valid health certificate and evidence of a negative Coggins test, which shall be filed with the racing secretary.

Item 6. Amend subrule **9.6(1)**, paragraph “1,” as follows:

1. The horse appears on the starters’ list, steward’s list, ~~paddock list~~, or veterinarian’s list;

Item 7. Amend subrule **9.6(10)**, paragraph “b,” as follows:

b. Posting of overnight conditions. At extended pari-mutuel meetings, condition books will be prepared and races may be divided or substituted only when regularly scheduled races fail to fill ~~except where racing is conducted less than five days a week~~. Books containing at least three days’ racing programs will be available to horsemen at least 24 hours prior to closing declarations on any race program contained. When published, the conditions must be clearly stated and not printed as TBA--To Be Announced. The racing secretary shall forward copies of each condition book and overnight sheet to the commission and U.S.T.A. office as soon as it is available to the horsemen.

Item 8. Amend subrule **9.6(18)**, paragraph “a,” sub paragraph (11), as follows:

(11) Horses omitted through error. Drawings shall be final unless there is conclusive evidence that a horse properly declared was omitted from the race through the error of the facility or its agent or employee, in which event the horse shall be added to the race but given the last post position, provided the error is discovered prior to scratch time or the printing of the program, whichever is sooner. However, in the case of early closers ~~of more than \$10,000 and stake and futurity races~~, the race shall be redrawn. ~~This shall not apply at extended pari-mutuel meetings in overnight events.~~

Item 9. Amend subrule **9.6(18)**, paragraph “e,” subparagraph (2), as follows:

(2) When a horse is racing for the first time in the current year, the date of the first ~~declaration~~ successful qualifying race shall be considered its last race date and preference shall be applied accordingly.

Item 10. Amend subrule **9.6(18)**, paragraph “g,” as follows:

g. Driver. Declarations shall state who shall drive the horse and give the driver's colors. Drivers shall be named at the time of the draw after which no driver may be changed without good cause and permission of the steward(s). All drivers must be changed by scratch time. When a nominator starts two or more horses, the stewards shall approve or disapprove the second and third drivers.

Item 11. Amend subrule **9.6(19)**, paragraph “a,” subparagraph (2), as follows:

(2) Scoring. After one or two preliminary warming up scores, the starter shall notify the drivers to fasten their ~~helmet chin straps~~ helmets and come to the starting gate. During or before the parade, the drivers must be informed as to the number of scores permitted.

Item 12. Amend subrule **9.6(20)**, paragraph “s,” as follows:

s. Sulky. Only sulkies of the conventional dual-shaft and dual-hitch type shall be permitted to be used in any races. A conventional-type sulky is one having two shafts

that must be parallel to and securely hitched on each side of the horse. No point of hitch or any part of a shaft shall be above a horizontal level equal to the lowest point of the horse's back. ~~Shafts must be hooded separately on each side.~~

Item 13: Amend subrule **10.2(9)** as follows:

10.2(9) Helmets and vests. A facility shall not allow any person ~~to exercise any horse on horseback~~ on facility ~~premises~~ grounds unless that person is wearing a protective helmet and safety vest of a type approved by the commission.

Item 14: Amend subrule **10.4(5)**, paragraph “f,” as follows:

f. Naming/engaging of riders. Riders must be named at the time of entry ~~or no later than scratch time~~. Before naming any rider, the trainer, owner, or other person authorized must first engage the services of the rider and state on the entry or to the clerk of scales whether it is a first or second call. Riders properly engaged must fulfill their engagements as required in 10.5(2)”l.”

Item 15. Amend subrule **10.4(17)**, paragraph “g,” as follows:

g. A horse placed on the veterinarian's list, bleeders exempt, may be allowed to enter only after it has been removed from the list by the commission veterinarian. Requests for the removal of any horse from the veterinarian's list will be accepted only after three calendar days from the placing of the horse on the veterinarian's list have elapsed. Removal from the list will be at the discretion of the commission veterinarian who may require satisfactory workouts or examinations to adequately demonstrate that the problem that caused the horse to be placed on the list has been rectified. Horses that are entered to race and then placed on the veterinarian's list for any reason will not be allowed to enter a race for a minimum of three calendar days beginning the day after the horse was scheduled to race.

Item 16. Rescind subrule **11.9(2)**, paragraph “b,” and insert in lieu thereof the following new paragraph:

b. A slot machine game shall have a probability of obtaining the highest single advertised payout, which must statistically occur at least once in 50,000,000 games.

Item 17. Rescind subrule **11.9(5)** and insert in lieu thereof the following new paragraph:

11.9(5) Posting of the average theoretical payout percentage. The average theoretical payout percentage, as defined by subrule 11.9(2), of the slot machine games available for play to the public shall be posted at the main casino entrance, cashier cages, and slot booths. The average shall be calculated as the sum of the theoretical payout percentage of all slot machine games available for play divided by the total number of slot machine games available for play. A slot machine game available for play shall mean a game, either the only game or one of a number of games in a slot machine, which remains accessible by a patron for play on the gaming floor. For the purpose of this calculation, each specific increment rate for an individual in-house progressive jackpot may be added to the theoretical payout percentage of each slot game which has that specific in-house progressive jackpot available for play, provided the posting states that the calculation includes progressive jackpot increment rates.

Item 18. Rescind subrule **11.10(2)** and insert in lieu thereof the following new subrule:

11.10(2) Software requirements-random number generator. Each slot machine must have a random number generator to determine the results of the game symbol selections or production of game outcomes. The selection shall:

- a. Be statistically independent.
- b. Conform to the desired random distribution.
- c. Pass various recognized statistical tests.
- d. Be unpredictable.
- e. Have a testing confidence level of 95 percent.

Item 19. Amend subrule **11.10(4)** last unnumbered paragraph as follows:

No slot machine may have a mechanism ~~by which an error that~~ will cause the electronic accounting meters to automatically clear due to an error. Clearing of the electronic accounting meters may only be completed after notification ~~and approval by~~ is filed with a commission representative. All meter readings must be recorded both before and after the electronic accounting meter is cleared.

Item 20. Rescind subrule **11.12(2)** and insert in lieu thereof the following **new** subrule:

11.12(2) Progressive controllers. The reset or base value and the rate of increment of a progressive jackpot game must be filed with a commission representative prior to implementation. A reset or base value must equal or exceed the equivalent nonprogressive jackpot payout.

Item 21. Rescind subrule **12.14(4)** and insert in lieu thereof the following **new** subrule:

12.14(4) For a slot machine jackpot in excess of \$100,000, a facility shall notify a commission representative in accordance with the immediate notification process established by subrule 5.4(5).

AMENDED PROPOSED AGENDA

Insert the following item:

- 8. PRAIRIE MEADOWS RACETRACK & CASINO** – Request for Approval of Agreement Pertaining to Racing at Prairie Meadows for 2006 Season (Quarter Horses)

The remainder of the agenda is renumbered accordingly.